

LABOR NEWS

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Mike Huckabee, Governor

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James L. Salkeld, Director



COOPER POWER RECEIVES SAFETY AWARD

Director of Labor James L. Salkeld recently presented the 200 employees of Cooper Power Systems/Kearney Operation in Fayetteville a One Million Work Hours Safety Award at a celebration at the plant. The employees accumulated 1,000,155 work hours without a lost day away from work due to a work-related injury or illness between October 2000 and November 2002.

The company has had a safety program in effect since 1997 and has a 25-member safety committee made up of both management and employees.

The Arkansas Department of Labor, the Arkansas Insurance Department and the Arkansas Workers' Compensation Commission are pleased to acknowledge Arkansas companies who excel in on-the-job safety through this award program. If you would like information on how your company can qualify for an award, call 501-682-4329.

OSHA REMINDS EMPLOYERS OF REQUIRED POSTING

It is posting requirement time according to the U.S. Department of Labor's Occupational Safety and Health Administration (OSHA). Beginning in 2003, employers with 11 or more employees need to post the new OSHA 300A Summary of Work-Related Injuries and Illnesses. The summary is based on the total number of job-related injuries and illnesses that occurred in 2002 and were logged on the OSHA 300 form. Companies with no injuries and illnesses in 2002 should post the form with zeros on the total line.

Summaries should remain posted until April 30, 2003, and be displayed in a common area.

The summary includes information on type of injury and illness, extent and outcome and alerts employees to possible hazards. Employment information regarding annual average number of employees and total hours worked during the calendar year is also required to assist in calculating incidence rates.

Employers with ten or fewer employees and employers in certain industry groups are normally exempt from federal OSHA injury and illness record keeping and posting requirements. A complete list of exempt industries in the retail, services, finance and real estate sectors is posted on OSHA's website at www.osha.gov (*continued on page 4 see OSHA*)



ON-LINE BOILER OPERATOR LICENSE RENEWAL NOW AVAILABLE

e-government has just been upgraded with an additional service! Director of Labor James L. Salkeld recently announced that the Arkansas Department of Labor has completed a joint project with the Information Network of Arkansas (INA) to make it possible for Arkansas boiler operators to renew their license on-line.

Boiler operators or their agents may complete the license renewal form in a secure, encrypted environment at:

<http://www.accessarkansas.org/labor>

The Department of Labor began on-line license renewal for Arkansas' electricians about 18 months ago, and the response has been extremely positive. Electronic license renewal has proven to be fast, reliable, and convenient.

We're pleased to improve our customer services and look forward to expanding on this second phase of on-line license renewals by making additional agency services available via the Internet.



2002 DEPARTMENT ANNUAL REPORT RELEASED

Okay, you're standing in an elevator with several people you don't know, surrounded by that deafening silence that's always there once the doors shut. The only excuse you can think of for not speaking to anyone is because you're busy reading the elevator permit on the wall. Alright, I'm not saying there's any threat of them putting John Grisham out of work, but they DO give you something to stare at, don't they? And you can thank the Arkansas Department of Labor for that and countless other truly life-enriching services.

For instance, OSHA consultants conducted over 650 safety and health visits at the request of the inspected workplaces and they cited nearly 6,750 safety and health hazards. Of these, 4,514 were serious hazards.

The AOSH Division, which is responsible for administering Arkansas' laws dealing with safety and health, conducted 389 consultation visits to public schools, technical schools, colleges and universities, state agencies, and other public sector entities, where they cited 1,747 serious violations. The division also inspected 231 amusement ride facilities citing 713 items. The division also trained 1,984 employees in safety and health.

Preventing Occupational Injuries and Illnesses seminars were held in Jonesboro, Little

Rock, Crossett, Fort Smith, Russellville, Monticello, Texarkana, Batesville and West Memphis during this fiscal year with nearly 1,130 participants attending. These seminars were co-sponsored by our department, the Arkansas Workers' Compensation Commission, and the Arkansas Insurance Department, and in some cases with additional sponsorship from local safety associations.

The same three state agencies presented the first Ten Million Work Hours Safety Award ever earned by a company to Butterball Turkey Company in Huntsville, Arkansas. They also presented 68 other safety awards to Arkansas companies who excelled in safety and health this year.

Over 1,100 companies borrowed safety and health videos for their employees to view from our Film and Video Libraries located across the state.

The Mine Safety and Health Administration held 179 classes with 1,780 participants attending. First Aid and CPR classes were among the many MSHA classes held for Arkansas' miners. The Mine Office in Fort Smith held 16 blasting classes for 128 miners as well as conducting consultation visits and investigating complaints.

Our Safety Training and Education Division held over 560 classes across the state with over 3,800 Arkansas workers in attendance.

The Boiler Inspection Division issued over 6,600 boiler operator licenses and processed nearly 22,600 inspection reports.

The Board of Electrical Examiners issued over 10,000 licenses to Industrial Maintenance, Journeyman, Master, Contractors, Air-Conditioning and Registered Apprentice Electricians.

Our Wage and Hour investigators collected over \$35,700 for violations of the minimum wage and overtime laws and over \$40,000 in child labor civil money penalties. They conducted over 2,600 inspections of work place records and cited 570 violations.

The Wage Claims Division processed claims that returned nearly \$42,000 to Arkansas workers for unpaid wages, severance pay, sick pay, vacation pay, holiday pay, and unauthorized deductions, commissions, and bonuses.

Investigations by the Prevailing Wage Division resulted in \$17,485 being returned to Arkansas workers in back wages. The division also issued 454 wage determinations for projects with a total estimated value of \$416,148,827.

Our state mediator participated in 24 negotiations and attended 98 other meetings in order to promote peace and harmony in employer/employee relations.

Our Legal Division collected \$86,792 in back wages, \$45,665 of which was civil money penalties for child labor violations. They also had 788 more wage collection cases pending on behalf of the wage earners of Arkansas at the end of the fiscal year.

Data collected by our OSH/CFOI Division indicated that in 2000, there were 106 workplace fatalities in Arkansas. The division also found there were 6.5 work-related injuries and illnesses reported for every 100 full-time workers in private industry, down for the eighth consecutive year.


Oh, and those Certificates of Operation posted in elevators across the state...our Elevator Safety Division issued over 3,600 of them in addition to processing 5,700 inspection reports.

If you would like a copy of our 2002 Annual Report, call 682-4537, e-mail jeanette.donahue@mail.state.ar.us or access a copy on our website at








IN THE WORKS

 In 1980, the typical CEO was paid 42 times as much as his average worker. In 1990, it was 85 times as much. In 2000, 531 times as much. In 2001, corporate profits fell 35%, but the median CEO saw his compensation rise 7%.

 Age discrimination complaints filed with the U.S. Equal Employment Opportunity Commission (EEOC) have jumped 40 percent in the past four years, from 14,000 in 1999 to more than 20,000 in 2002.

 According to a report by the Public Policy Institute, today's older Americans are healthier and better able to live independently than recent generations. But researchers warn that disabilities among working-age adults – many due to obesity – are increasing and may prevent baby boomers from enjoying long, healthy retirements.

 In May, 2001, 7.89 million persons worked multiple jobs in the U.S., a figure representing 5.7 percent of all workers. More than one in three moonlighted to earn extra money, a category that could include saving for the future or getting extra money to buy something special. An additional 27.8 percent moonlighted in order to meet expenses or pay off debt. Enjoyment of the second job was reported by 17.4 percent and 4.6 percent wanted to build a business or get experience in a different job.

 In 2002, 13.2 percent of wage and salary workers were union members, down from 13.4 percent in 2001, the U.S. Department of Labor's Bureau of Labor Statistics recently reported. The number of persons belonging to a union fell by 280,000 over the year to 16.1 million in 2002. The union membership rate has steadily declined from a high of 20.1 percent in 1983, the first year for which comparable union data are available.



MIDWEST RANKS TOPS IN 2000 EMPLOYMENT

The proportion of the population with jobs was the highest in the Midwest in 2000. Among Midwesterners, 67.4 percent of the population was employed on average in 2000. The percentages for the other regions were clustered within a narrow range: 64.7 percent of those in the West were employed, 63.4 percent in the South, and 62.8 percent in the Northeast. In the Nation as a whole, 64.5 percent of the population had jobs.

Regional unemployment rates varied from a low of 3.7 percent in the Midwest to 4.6 percent in the West region. Workers unemployed for 27 weeks or more made up 14.3 percent of the total unemployed in the Northeast. This was nearly 3 percentage points higher than in any of the other broad geographic regions. In the West, 11.5 percent of the unemployed were in a spell of unemployment that had lasted 27 weeks or more. Such long durations of unemployment accounted for 10.8 percent of those unemployed in the South and 9.8 percent of those in the Midwest.

GRANTS AVAILABLE FOR WORK PROGRAMS FOR WOMEN

The WANTO program was established by the Women in Apprenticeship and Nontraditional Occupations Act of 1992. WANTO was designed to provide employers and labor unions assistance that leads to the increased participation of women in apprenticeship and nontraditional occupations.

Through an annual grant solicitation process, funds are distributed to qualifying community-based organizations, including faith-based ones. These organizations are responsible for providing technical assistance to employers and labor unions to increase the numbers of women placed and retained in apprenticeship and nontraditional occupations.

The recipients of the one-year grants are announced in the Fall of each year. Since the inception of WANTO, 32 different community-based organizations have provided technical assistance to more than 2,700 employers and labor unions. They in turn have increased employment opportunities for more than 5,000 women.

WANTO is administered by the Women's Bureau and the Office of Apprenticeship Training. For more information, call Diane Faulkner at (202) 693-6752.

LABOR NEWS

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JAMES L. SALKELD, DIRECTOR

JEANETTE DONAHUE, EDITOR

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_____ Add my name

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Comments welcomed _____

FMLA NOW TEN YEARS OLD

The law that provides up to 12 workweeks of unpaid leave annually for family and medical reasons was enacted ten years ago and is as vital today as it was in 1993.

The Family and Medical Leave Act (FMLA) requires employers with 50 or more employees to provide job-protected leave for eligible employees to care for a child after birth, adoption or placement for foster care; to care for their spouse, son, daughter or parent who suffers from a serious health condition; or to care for their own serious health condition that prevents them from performing their job.

To be considered eligible, employees must work for an employer who has 50 or more employees within 75 miles of their work site, and must have worked for

the employer for 12 months and worked at least 1,250 hours in the 12 months prior to taking FMLA leave.

For the duration of FMLA leave, employers must maintain the employees' health coverage under group health plans. Most employees must be restored to their original or equivalent positions with equivalent pay, benefits and other employment terms. Furthermore, the use of FMLA leave cannot result in the loss of any employment benefit that accrued prior to the start of a worker's leave.

For some of the most Frequently Asked Questions about the FMLA, visit the U.S. Department of Labor's website at www.dol.gov/elaws/esa/fmla/faq.asp and an FMLA Compliance Assistance page for employers at www.dol.gov/esa/regs/compliance/whd/1421.htm For further information, call the department's toll free help line at 1-866-4USWAGE.

OSHA (contd. from page 1)

Exempted employers may still be selected by the Labor Department's Bureau of Labor Statistics to participate in an annual statistical survey. All employers covered by OSHA need to comply with safety and health standards and must report verbally within eight hours to the nearest OSHA office all accidents which result in one or more fatalities or in the hospitalization of three or more employees. Fatalities involving fatal heart attacks must also be reported to OSHA, but fatalities involving motor vehicle accidents (except in a construction work zone) or commercial or public transportation systems do not need to be reported to OSHA. After hours calls to report accidents can be made toll free by calling 1-800-321-OSHA.

For more information on OSHA compliance, call our office at 682-4516.

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